

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed August 15, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Epstein (U.S. Pat. No. 6,601,172). Applicant respectfully traverses this rejection.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the Epstein reference. Applicant discusses the Epstein reference and Applicant’s claims in the following.

As is indicated in the foregoing, each of independent claims 1, 13, and 21 have been amended through this Response. In view of those amendments, Applicant respectfully submits that the rejections are moot as having been directed toward the claims in a different form. Accordingly, Applicant respectfully requests the rejections be withdrawn. Regardless, Applicant briefly discusses the Epstein reference relative to Applicant’s claims in the following.

Applicant claims methods and apparatus for notarizing imaging data. For example, independent claim 1 provides as follows (emphasis added):

1. A method for notarizing imaging data, comprising:
retrieving imaging data on behalf of a user via a network from the user's personal imaging repository with a network-based notarization service via an imaging extension; and
electronically notarizing the imaging data with the network-based notarization service.

Regarding claim 1, which contains limitations that are similar to limitations found in claims 13 and 21, Epstein does not teach “retrieving imaging data on behalf of a user via a network”. Instead, Epstein states that a user “transmits” a document to a server which facilitates notarization. Epstein, column 2, lines 56-57.

Furthermore, Epstein does not teach that the imaging data is retrieved from the user’s “personal imaging repository”.

Moreover, Epstein does not teach that the imaging data is retrieved from the repository “via an imaging extension”.

For at least the foregoing reasons, Epstein does not anticipate Applicant’s claims.

II. Canceled Claims

Claims 2-4 and 14-16 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

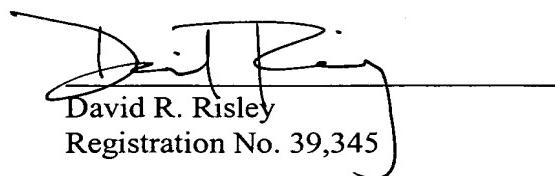
III. New Claims

Claims 24-31 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

10-26-05
Mary Meehan
Signature